19CY-CV05962

IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI

LORRAINE MOLAND

Plaintiff,

v.

WAL-MART STORES, INC. Serve: Registered Agent CT CORPORATION SYSTEM 120 S. Central Ave Clayton, Missouri 63105

and,

WAL-MART STORES EAST I, LP, d/b/a WALMART #1120 Serve: Registered Agent CT CORPORATION SYSTEM 120 S. Central Ave Clayton, Missouri 63105

Defendants.

Case No. Division:

PETITION

COMES NOW Plaintiff, Lorraine Moland, by and through her attorney, The Eslinger Law Firm, LLC, and for her cause of action against the Defendants state as follows:

- 1. Plaintiff, Lorraine Moland, is a resident of Clay County, Missouri.
- 2. Defendant Wal-Mart Stores, Inc. is a corporation, organized and existing by virtue of the laws of the State of Delaware, and registered and authorized to do business in the State of Missouri.
- 3. Defendant Wal-Mart Stores East I, LP is a limited partnership, organized and existing by virtue of the State of Delaware, and registered and authorized to do business in the

State of Missouri, and at all times relevant was doing business as Walmart #1120, a fictitious name registered in the State of Missouri to Defendant Wal-Mart Stores East I, LP.

- 4. Defendants own and operate a Wal-Mart store located at 7207 N. M1 Highway in Gladstone, Clay County, Missouri.
- 5. Venue is proper pursuant to § 508.010 RSMo. as the cause of action accrued in Clay County, Missouri as that is where Plaintiff was first injured.
- 6. On or about January 9, 2018, in the store of Defendants' business in Gladstone, Missouri, Plaintiff slipped and fell in the aisle of the shopping center, causing Plaintiff to be severely injured.
- 7. Defendants have a duty to maintain their premises in a safe and reasonable manner for their business invitees, including Plaintiff.
- 8. Defendants breached their duty, and were otherwise negligent in the following respects:
 - Defendants knew, or by using ordinary care, should have known of said dangerous condition;
 - Defendants negligently and carelessly allowed and permitted the aforesaid dangerous and not reasonably safe condition to exist;
 - c. Defendants negligently and carelessly failed to inspect the business premises in order to determine the existence of the aforesaid dangerous and not reasonably safe condition;
 - d. Defendants negligently failed to warn the public, particularly the Plaintiff, of the aforesaid dangerous and not reasonably safe condition, or to

barricade to otherwise prevent the public, including the Plaintiff, from coming in contact therewith;

- e. That the aforesaid condition existed a sufficient length of time prior to the occurrence alleged herein for the Defendants, in the exercise of ordinary care, to have discovered same and removed or remedied same, and Defendants negligently failed to do so.
- 9. As a direct and proximate result of the acts, omissions and negligence of Defendants, Plaintiff sustained severe, painful and disabling injuries, including, but not limited to a concussion, head injury, shoulder injury with tear of her right shoulder rotator cuff, requiring surgery, therapy and medical treatment.
- 10. As a direct and proximate result of the acts, omissions and negligence of Defendants, Plaintiff has incurred medical bills in the past and will incur additional medical expenses in the future, all to Plaintiff's damage.
 - 11. Plaintiff's damages exceed \$100,000.00.

WHEREFORE, Plaintiff prays for judgment in her favor and against Defendants in an amount that is fair and reasonable under the circumstances, for her costs, and for such other and further relief as the Court may deem proper or necessary.

REQUEST FOR JURY TRIAL

Plaintiff requests a trial by jury on all issues presented herein.

Respectfully submitted,

ESLINGER LAW FIRM, LLC

/s/ Jason M. Eslinger By:

Jason M. Eslinger MO#66705 2517 Jefferson Street Kansas City, Missouri 64108 (816) 259-5226 Telephone (816) 817-1441 Facsimile jason@eslingerlawfirm.com ATTORNEYS FOR PLAINTIFF

19CY-CV05962

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WAL-MART STORES EAST I, LP, d/b/a WALMART #1120 Serve: Registered Agent CT CORPORATION SYSTEM 120 S. Central Ave Clayton, Missouri 63105

Defendant.

Case No. Division:

Service Instruction for Service of Process

Please issue a summons for service to The Eslinger Law Firm, LLC, for service upon Defendants by St. Louis County, Missouri Sherriff's department. Defendant's address has been confirmed as within the service parameters of St. Louis County Missouri Sherriff.

Respectfully submitted,

ESLINGER LAW FIRM, LLC

/s/ Jason M. Eslinger

By:_

Jason M. Eslinger MO#66705 2517 Jefferson Street Kansas City, Missouri 64108 (816) 259-5226 Telephone (816) 817-1441 Facsimile jason@eslingerlawfirm.com

ATTORNEYS FOR PLAINTIFF



Judge or Division:

IN THE 7TH JUDICIAL CIRCUIT COURT, CLAY COUNTY, MISSOURI

Case Number: 19CY-CV05962

DAVID PAUL CHAMBERI	LAIN				
Plaintiff/Petitioner:		Plaintiff's/Petitioner's Att	corney/Address		
LORRAINE MOLAND		JASON MARTIN ESLIN	GER		
		2517 JEFFERSON ST, ST			
	vs.	KANSAS CITY, MO 64	108		
Defendant/Respondent:		Court Address:			
WAL-MART STORES INC		11 S WATER			
Nature of Suit:		LIBERTY, MO 64068			
CC Pers Injury-Other				(Dat	te File Stamp)
		mmons in Civil C	ase		
The State of Missouri to	o: WAL-MART STORES	INC			
RA CT CORP SYSTEMS 120 S CENTRAL AVENUE CLAYTON, MO 63105	Alias:				
CLAY COUNTY	which is attached, and tabove address all within	d to appear before this court to serve a copy of your plead in 30 days after receiving this ment by default may be take	ing upon the attorn summons, exclusiven against you for th	ney for Plaintiff/Petiti we of the day of servic	ioner at the ce. If you fail to n the petition.
		Sheriff's or Server's Return	<u> </u>		
Note to serving officer: S	ummons should be returned t	o the court within thirty days a	after the date of issue	e.	
I certify that I have served t	he above summons by: (che	ck one)			
'		petition to the Defendant/Resp	ondent.		
		ition at the dwelling place or i		efendant/Respondent v	with
		a person of the Defendan		nily over the age of 15	years.
(for service on a corpor	ation) delivering a copy of th	e summons and a copy of the	petition to		
		(name)			(title).
other					
					(address)
in	(County/City of	St. Louis), MO, on		(date) at	(time).
Printed Name	of Sheriff or Server		Signatu	re of Sheriff or Server	
	Must be sworn before a ne	otary public if not served by	an authorized offic	er:	
	Subscribed and sworn to be	fore me on		(date).	
(Seal)	3.4				
	My commission expires: _	Date		Notary Public	
Sheriff's Fees					
Summons	\$				
Non Est	\$				
Sheriff's Deputy Salary					
Supplemental Surcharge	\$10.00	u o t			
Mileage	\$(_	miles @ \$ per n	nile)		
Total	d a conv of the natition must	t be served on each Defendan	t/Respondent For	methods of service on	all classes of
suits, see Supreme Court R		t de serveu dit each Defendan	a respondent. For I	nemous of service off	an classes of



IN THE 7TH JUDICIAL CIRCUIT COURT, CLAY COUNTY, MISSOURI

Judge or Division:	Case Number: 19CY-CV05962			
DAVID PAUL CHAMBERLAIN				
Plaintiff/Petitioner:	Plaintiff's/Petitioner's Attorney/Address			
LORRAINE MOLAND	JASON MARTIN ESLINGER			
	2517 JEFFERSON ST, STE 308			
VS.	KANSAS CITY, MO 64108			
Defendant/Respondent:	Court Address:			
WAL-MART STORES INC	11 S WATER			
Nature of Suit:	LIBERTY, MO 64068			
CC Pers Injury-Other		(Date File Stamp)		
Summons in Civil Case				
The State of Missouri to: WAL-MART STORES	EAST INC			
Alias:				
RA CT CORPORATION SYSTEM				
120 S CENTRAL AVE				
CLAYTON, MO 63105				
COURT SEAL OF You are summoned	d to appear before this court and to file your pleading to	the petition, a copy of		

COURT SEAL OF

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

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The state of the s	6/13/2019	(tu R	horpsons	
CLAY COUNTY	Date	- Cugi	Clerk	
	Further Information:			
	Sheriff's or S	Server's Return		
Note to serving officer: S	Summons should be returned to the court with	thin thirty days after the	date of issue.	
I certify that I have served	the above summons by: (check one)			
delivering a copy of th	e summons and a copy of the petition to the	Defendant/Respondent.		
leaving a copy of the s	ummons and a copy of the petition at the dw	0.1	•	
			ondent's family over the age of 15	years.
(for service on a corpo	ration) delivering a copy of the summons an	id a copy of the petition	to	
		(name)		(title).
other_				
in	(County/City of St. Louis), M	lO, on	(date) at	(time).
Printed Name	e of Sheriff or Server		Signature of Sheriff or Server	
	Must be sworn before a notary public i	f not served by an auth	orized officer:	
	Subscribed and sworn to before me on		(date).	
(Seal)				
	My commission expires:		Notary Public	
Sheriff's Fees		ate	Trotaly Fuone	
Summons	\$			
Non Est	\$			
Sheriff's Deputy Salary				
Supplemental Surcharge	\$ <u>10.00</u>			
Mileage	\$10.00 \$ (miles @	§ \$ per mile)		
Total	\$			
A copy of the summons as	nd a copy of the petition must be served on	each Defendant/Respo	ndent. For methods of service on	all classes of
suits, see Supreme Court R	Rule 54.			



IN THE 7TH JUDICIAL CIRCUIT COURT, CLAY COUNTY, MISSOURI

Judge or Division:	Case Number: 19CY-CV05962	
DAVID PAUL CHAMBERLAIN Plaintiff/Petitioner: LORRAINE MOLAND	Plaintiff's/Petitioner's Attorney/Address JASON MARTIN ESLINGER 2517 JEFFERSON ST, STE 308 (KANSAS CITY, MO 64108	
Defendant/Respondent: WAL-MART STORES INC	Court Address: 11 S WATER LIBERTY MO 64068	
Nature of Suit: CC Pers Injury-Other	LIBERTY, MO 64068	(Date File Stamp)

WALL WART STORES INC	LIBERTY, MO 64068	
Nature of Suit:		(Date File Stamp)
CC Pers Injury-Other	C	(Date The Stamp)
	Summons in Civil Case	
The State of Missouri to: WAL-MART S	STORES INC	
Alias:		
RA CT CORP SYSTEMS 120 S CENTRAL AVENUE		
CLAYTON, MO 63105		
- Lilla		
COURT SEAL OF You are s	ummoned to appear before this court and to file your	pleading to the petition, a copy of
which is attach	ned, and to serve a copy of your pleading upon the atto all within 30 days after receiving this summons, exclu	orney for Plaintiff/Petitioner at the
above address	all within 30 days after receiving this summons, excluing, judgment by default may be taken against you for	r the relief demanded in the petition.
(S() A Sour plead	ing, judgment by default may be taken against you los	the rener demanded in the person
	Date Mulsons	Clerk
CLAY COUNTY		
Further Informati	Sheriff's or Server's Return	
Note to service officers Cummons should be	returned to the court within thirty days after the date of is	ssue
		sate.
I certify that I have served the above summons		12
delivering a copy of the summons and a co	py of the petition to the Defendant/Respondent.	Defendent & Cond & with 20
leaving a copy of the summons and a copy	of the petition at the dwelling place or usual abode of the a person of the Defendant's/Respondent's	family over the age of 5 years
(for a service are a comparation) delivaring a		failing overlanding of years.
(for service on a corporation that the fing a corporation that the fine a corporation that the corporation that the fine a corporation that the corpo	copy of the summons and a copy of the petition to (name)	75 5 77
7000	(name)	(title).
other CT CORP	LCW - B. LOVE	99 = 111
		address)
in (Gour	ILIN 2 0 2010	(date) at (time).
in(Gour	pty/City of St. Louis), MO, onJUN 2 (1 2019	(date) at(time).
New Will		M
Printed Name of Sheriff or Server		natura of Sheriff or Server
Must be sworn b	pefore a notary public if not served by an authorized o	officer:
Subscribed and s	worn to before me on	(date).
(Seal)	expires:	
Wy Commission	Date	Notary Public
Sheriff's Fees		
Summons \$		
Non Est \$		6
Sheriff's Deputy Salary		
Supplemental Surcharge \$10.00	(miles @ \$ per mile)	2
Mileage \$ Total \$		8
A copy of the summons and a copy of the pe	tition must be served on each Defendant/Respondent. F	For methods of service on all classes of
suits, see Supreme Court Rule 54.	· · · · · · · · · · · · · · · · · · ·	4
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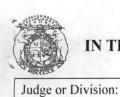
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INTAKE SPECIALIST

CW - B. LOVE

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DAVID PAUL CHAMBERLAIN

Plaintiff/Petitioner:

IN THE 7TH JUDICIAL CIRCUIT COURT, CLAY COUNTY, MISSOURI

Case Number: 19CY-CV05962

JASON MARTIN ESLINGER

Plaintiff's/Petitioner's Attorney/Address

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LORRAINE MOLAND vs.	JASON MARTIN ESLINGER 2517 JEFFERSON ST, STE 308 KANSAS CITY, MO 64108	
Defendant/Respondent: WAL-MART STORES INC	Court Address: 11 S WATER	
Nature of Suit: CC Pers Injury-Other	LIBERTY, MO 64068	(Date File Stamp)
	ummons in Civil Case	(Bute The Stump)
The State of Missouri to: WAL-MART STORE		
RA CT CORPORATION SYSTEM 120 S CENTRAL AVE CLAYTON, MO 63105 Alias:		
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CLAY COUNTY Date	Clerk	
Further Information:	Sheriff's or Server's Return	and the second s
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other Served at	e petition to the Defendant/Respondent. etition at the dwelling place or usual abode of the Defendant/ a person of the Defendant's/Respondent's family over	
Printed Name of Sheriff or Server	Signature of Sheri	iff or Server
Must be sworn before a Subscribed and sworn to	notary public if not served by an authorized officer:	date).
(Seal) My commission expires:	4	otary Public S
Sheriff's Fees Summons Non Est Sheriff's Deputy Salary Supplemental Surcharge Mileage Total A copy of the summons and a copy of the petition musuits, see Supreme Court Rule 54.	miles @ \$ per mile) ust be served on each Defendant/Respondent. For methods	of service on all classes of

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INTAKE SPECIALIST)

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